

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild
Monica AlaezTelephone: (313) 226-9577
Telephone: (313) 394-5447UNITED STATES DISTRICT COURT
for the

Eastern District of Michigan

United States of America
v.
Angel DIAZ LOPEZCase: 2:24-mj-30144
Assigned To : Unassigned
Assign. Date : 4/16/2024
Description: RE: ANGEL DIAZ
LOPEZ (EOB)
Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 24, 2019 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 8, United States Code, Section 1326(a), (b)(2)	Unlawful Re-entry after Removal from the United States, Prior Aggravaed Felony Offense

This criminal complaint is based on these facts:

On or about July 24, 2019, in the Eastern District of Michigan, Southern Division, Angel DIAZ LOPEZ an alien from Mexico, who previously had been convicted of an aggravated felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about January 29, 2019, at or near Brownsville, Texas and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a) (b)(2).

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: April 16, 2024City and state: Detroit, MI


Complainant's signature

Monica Alaez, Deportation Officer
Printed name and title


Judge's signature

David R. Grand, United States Magistrate Judge
Printed name and title

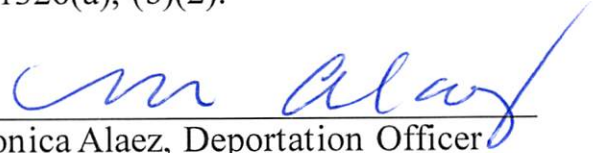
AFFIDAVIT

I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since March 2009. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the immigration records and system automated data relating to Angel DIAZ LOPEZ, which reveal the following:
2. Angel DIAZ LOPEZ is a thirty-two-year-old citizen and native of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security. This affidavit is submitted for the limited purpose of establishing probable cause of Unlawful Reentry to the United States, a violation of 8 U.S.C. § 1326(a), (b)(2).
3. On or about June 16, 2007 and June 21, 2007, United States Border Patrol encountered DIAZ LOPEZ at or near Douglas, Arizona and voluntarily returned him to Mexico.
4. On or about November 8, 2010, ICE ERO Detroit, Michigan arrested DIAZ LOPEZ and served him a Notice to Appear. On or about November 30, 2010, an Immigration Judge in Detroit, Michigan ordered DIAZ LOPEZ removed from the United States to Mexico. On December 7, 2010, ICE ERO removed DIAZ LOPEZ to Mexico from the United States via Laredo, Texas port of entry.
5. On or about January 18, 2019, United States Border Patrol Gibraltar, Michigan at or near Wyandotte, Michigan apprehended DIAZ LOPEZ and served him with a Notice of Intent / Decision to Reinstate Prior Order. On or about January 29, 2019, ICE ERO removed DIAZ LOPEZ from the United States to Mexico via Brownsville, Texas port of entry.

6. On or about July 24, 2019, ICE ERO placed a detainer on DIAZ LOPEZ at Wyandotte Police Department, in Michigan after being arrested for Criminal Sexual Conduct, First Degree Penis/ Vagina Penetration. On December 10, 2019, the 3rd Circuit Court in Detroit, Michigan convicted DIAZ LOPEZ of Child Sexually Abusive Material or Activity and sentenced him to 11 to 20 years in prison.
7. ICE searched his fingerprints in government electronic systems resulting in a positive match for Angel DIAZ LOPEZ, DOB XX/XX/1991, AXXX XXX 557, a previously removed alien.
8. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
9. ICE officers reviewed immigration file records and Department of Homeland Security electronic records, indicating that DIAZ LOPEZ AXXX XXX 557, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

10. Based on the above information, I believe there is probable cause to conclude that Angel DIAZ LOPEZ, is an alien who was previously convicted of an aggravated felony offense, and who was found in or reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a), (b)(2).



Monica Alaez, Deportation Officer
Immigration and Customs
Enforcement

Subscribed and Sworn to before me and
signed in my presence and/or by reliable
electronic means.



Honorable David R. Grand
United States Magistrate
Judge

April 16, 2024